

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT CINCINNATI**

UNITED STATES OF AMERICA,

Plaintiff,

:

Case No. 1:15-cr-113

Also 1:19-cv-341

- vs -

District Judge Susan J. Dlott

Magistrate Judge Michael R. Merz

LISTON WATSON,

Defendant.

:

DECISION AND ORDER

This criminal case is before the Court on Defendant's Motion to Oppose Order Striking [sic] First and Second Pro Se Motion (ECF No. 127).

Both of those Motions were stricken precisely because they were filed *pro se*. As the Magistrate Judge has pointed out before, a party who is represented by counsel is NOT permitted to file papers *pro se* (ECF No. 107, citing 28 U.S.C. § 1654). Defendant has the right to proceed *pro se* and the right to be represented by counsel, but not both at the same time. If Defendant wishes to file *pro se*, he must discharge his attorney and advise the Court of that fact. But until he does so, he must go through his attorney, not around.

The Motion is STRICKEN because, once again, Watson has retained counsel who is the trial attorney in this case until discharged.

IT IS SO ORDERED.

June 15, 2020.

s/ Michael R. Merz
United States Magistrate Judge